IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF ILLINOIS

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Plaintiff.

v.

THE AMERICAN COAL COMPANY,

Defendant.

Case No. 10-CV-497-DRH

JUDGMENT IN A CIVIL CASE

DECISION BY COURT. This matter is before the court for the purpose of docket control.

IT IS HEREBY ORDERED AND ADJUDGED that pursuant to the Order entered by this Court on May 17, 2011, this case is **DISMISSED** with prejudice. Each party shall bear their own costs.

NANCY J. ROSENSTENGEL, CLERK OF COURT

BY: /s/Sandy Pannier
Deputy Clerk

Dated: May 19, 2011

David R. Herndon Date: 2011.05.19

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Digitally signed by

APPROVED:

CHIEF JUDGE

U. S. DISTRICT COURT